

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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LAUREN E. SUMMA, on behalf of herself
individually and on behalf of all similarly
situated employees,

Plaintiff,

-against-

ORDER

CV 07-3307 (DRH) (ARL)

HOFSTRA UNIVERSITY

Defendant.

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HURLEY, Senior District Judge:

By Memorandum & Order dated October 24, 2011 (the “Order”), the Court granted plaintiff’s motion seeking preliminary approval of a proposed FLSA collective action settlement. The Court also authorized the dissemination of a Notice of the proposed settlement to members of the collective action. The parties’ settlement agreement provided that “[e]nclosed with the Notice will be a Claim Form and a Request for Exclusion Form, which are also subject to approval by the Court.” (Order at 7 (internal quotation marks omitted).) Plaintiff submitted a proposed Request for Exclusion Form, which the Court reviewed and approved, but did not submit a proposed Claim Form for the Court’s review. The Court directed the parties to submit a proposed Claim Form within five days of the date of the Order and noted that: “Preliminary approval is contingent upon the Court’s receipt and approval of the Claim Form.” (*Id.* at 7 n.5.)

On October 28, 2011, defendant submitted a proposed Claim Form for the Court’s review. (Docket No. 133.) Having reviewed the proposed Claim Form, the Court finds that it “appears to allow members of the settlement class a full and fair opportunity to submit a claim for proceeds in connection with the Settlement.” *See Danieli v. Int’l Bus. Machs. Corp.*, 2009

WL 6583144, at *5 (S.D.N.Y. Nov. 16, 2009). In addition, the proposed Claim Form “reasonably informs” members of the collective action that “failure to complete and submit a Claim Form, in the manner and time specified, shall constitute a waiver of any right to obtain a share” of the settlement proceeds. *See id.* Therefore, the Court hereby approves the proposed Claim Form.

SO ORDERED.

Dated: Central Islip, New York
November 2, 2011

/s/

Denis R. Hurley
United States District Judge